



United States
Department of
Agriculture

Forest
Service

Southwestern
Region

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File Code: 1570-1/2330

Date: August 05, 1999

Marvin and Geri Davis
152 N. Equestrian Way
Prescott, AZ 86303-5726

CERTIFIED MAIL --
RETURN RECEIPT REQUESTED

Re: Appeal # 99-03-00-0065-A215, Construction of a New Campground in Lynx Lake Recreation Area, Bradshaw Ranger District, Prescott National Forest.

Dear. Mr. and Mrs. Davis:

This is my review decision concerning the appeal you filed, regarding the Decision Notice and Finding of No Significant Impact which authorize construction of a new campground within the Lynx Lake Recreation Area.

BACKGROUND

Forest Supervisor Michael King issued the decision on May 4, 1999. The decision was related to the construction of a new campground in the Lynx Lake Recreation Area. The Forest Supervisor is identified as the Responsible Official, whose decision is subject to administrative review under 36 CFR 215 appeal regulations.

Pursuant to 36 CFR 215.16, an attempt was made by the Bradshaw Ranger District Recreation Planner, Malcolm Hamilton, to seek informal resolution of your appeal. The record indicates that informal resolution was not reached.

My review of this appeal has been conducted in accordance with 36 CFR 215.17. I have thoroughly reviewed the appeal record and the recommendation of the Appeal Reviewing Officer. My review decision incorporates the appeal record.

APPEAL REVIEWING OFFICER'S RECOMMENDATION

The Appeal Reviewing Officer has recommended that the Responsible Official's decision be affirmed and that your request for relief be denied. The evaluation concluded: (a) decision logic and rationale were generally clearly disclosed; (b) the benefits of the proposals were identified; (c) the proposal and decision are consistent with agency policy, direction and supporting information; (d) public participation and response to comments were adequate; and (e) all of the major issues raised by the appellants were adequately addressed in the project record.



Marvin & Geri Davis

APPEAL DECISION:

After a detailed review of the record and the Appeal Reviewing Officer's recommendation, I affirm the Responsible Official's decision concerning the construction of a new campground in Lynx Lake Recreation Area.

My decision constitutes the final administrative determination of the Department of Agriculture [36 CFR 215.18(c)].

Sincerely,

/s/ James T. Gladen
JAMES T. GLADEN
Appeal Deciding Officer
Deputy Regional Forester, Resources

Enclosure

cc:
Forest Supervisor, Prescott NF
District Ranger, Bradshaw RD
Recreation Staff, R3
Appeals & Litigation Staff, R3

REVIEW AND FINDINGS

of the

Marvin & Geri Davis Appeal #99-03-00-0065-A215

regarding

Construction of a New Campground - Lynx Lake

ISSUE 1: The increased fire risk was not addressed.

Contention: "**Increased fire risk** - this concern was shrugged off, but is a very real anxiety in a high desert area with many windy days and very little annual rainfall. Add to this the nearest forest fire equipment is (at least) 20-30 minutes away."

Response: The record reflects that the analysis within the EA addresses "vegetative management" (which includes; prescribed fire management, fire hazard reduction, insects and disease, and tree thinning). The proposal for the treatment of vegetation for reducing fire risk was not only within the proposed new campground but throughout the Lynx Lake Recreation Area.

Finding: The Responsible Official adequately analyzed and disclosed the cumulative effects of this action.

ISSUE 2: Water for the new campground will have to be obtained from the City of Prescott.

Contention: "**Water** - you obviously expect the private sector permittee to obtain water from the City of Prescott. In August of 1998 the Arizona Department of Water Resources declared the Prescott area was "mining" groundwater and water allocations will be extremely limited."

Response: The record specifically addresses the issues and concerns of providing water service to the new campground. Internal communications between the Engineering Staff and the Recreation Staff reflect discussions with the City of Prescott for providing water and sewer services. There was also a district discussion and communication concerning the affect of Arizona State Law pertaining to the water supply for the new campground in Lynx Lake. The project would have to meet all State of Arizona water law/requirements if the decision was to not use water from the City of Prescott.

Finding: The Responsible Official has adequately discussed the need for water within the new campground and analyzed the various means of obtaining that water (e.g. purchasing from the City of Prescott; obtaining permits from the State of Arizona, etc.) .

ISSUE 3: Crime, traffic and quality of life have been given little weight.

Contention: "**Crime, Traffic, Quality of Life** - these elements have also been given little weight since, in Mr. King's judgment, the nearby residents are surrounded by growing commercial areas. In other words, they chose to live here, if their quality of life is suffering, why should we (the forest service) care?"

Response: The Record reflects that the Decision Notice addresses various issues related directly to crime, traffic and the quality of life: 1) closure of Gypsy Camp will eliminate impacts from dispersed camping and minimize conflicts with private landowners; 2) a gate will be installed at the private property boundary at the north end of FDR #9401T; 3) eliminating through traffic and managing the area along Lynx Creek for day use minimizes disturbance to the adjacent private residents; 4) FDR #9401T and the new campground roads will be paved which will reduce dust; 5) as requirements are met, a 20 years special use permit will be issued for an environmental education center; 6) amenities offered within the new campground will offer a higher level of service; 7) Federal and state regulations/laws will be enforced by federal and county law enforcement agencies.

Finding: The Responsible Official has adequately discussed and analyzed the affects of crime, traffic and the quality of life concerning the construction of the new campground.